



General Assembly

February Session, 2006

Raised Bill No. 5615

LCO No. 2169

02169_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING PRESENTENCE INVESTIGATIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 54-91a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2006*):

3 (a) No defendant convicted of a crime, other than a capital felony,
4 the punishment for which may include imprisonment for more than
5 one year, may be sentenced, or the defendant's case otherwise
6 disposed of, until a written report of investigation by a probation
7 officer has been presented to and considered by the court, if the
8 defendant is so convicted for the first time in this state; but any court
9 may, in its discretion, order a presentence investigation for a defendant
10 convicted of any crime or offense other than a capital felony.

11 (b) A defendant who is convicted of a crime and is not eligible for
12 sentence review pursuant to section 51-195 may, with the consent of
13 the sentencing judge and the prosecuting official and for good cause
14 shown, waive the presentence investigation.

15 (c) Whenever an investigation is required, the probation officer shall

16 promptly inquire into the circumstances of the offense, the attitude of
 17 the complainant or victim, or of the immediate family where possible
 18 in cases of homicide, and the criminal record, social history and
 19 present condition of the defendant. Such investigation shall include an
 20 inquiry into any damages suffered by the victim, including medical
 21 expenses, loss of earnings and property loss. All local and state police
 22 agencies shall furnish to the probation officer such criminal records as
 23 the probation officer may request. When in the opinion of the court or
 24 the investigating authority it is desirable, such investigation shall
 25 include a physical and mental examination of the defendant and may
 26 include an examination to determine if the defendant is alcohol-
 27 dependent or drug-dependent. If the defendant is committed to any
 28 institution, the investigating agency shall send the reports of such
 29 investigation to the institution at the time of commitment.

30 (d) Any information contained in the files or report of an
 31 investigation pursuant to this section shall be available to the Court
 32 Support Services Division for the purpose of performing the duties
 33 contained in section 54-63d and to the Department of Mental Health
 34 and Addiction Services for purposes of diagnosis and treatment.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006</i>	54-91a

Statement of Purpose:

To provide that the requirement that a presentence investigation be performed with respect to first-time felony offenders may be waived by the defendant only if good cause is shown and authorize the investigation to include alcohol and drug testing of the defendant.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]